



**WBSC**

WORLD  
**BASEBALL SOFTBALL**  
CONFEDERATION

*Game Time!*

**BY-LAWS**  
**Disciplinary Rules**

# WBSC



WORLD  
**BASEBALL SOFTBALL**  
CONFEDERATION

## **BY-LAWS** *regarding* **Disciplinary Rules**

Approved by the WBSC Executive Board on February 25, 2017.

# INDEX

<b>CHAPTER I –</b>	<b>GENERAL PRINCIPLES OF CONDUCT</b>	4
ARTICLE 1.	AUTHORITY	4
ARTICLE 2.	LEGAL PROCEEDINGS AND PENALTIES AFFECTING A MEMBER FEDERATION, ASSOCIATION OR ORGANISATION OF THE WBSC	4
ARTICLE 3.	LEGAL PROCEEDINGS AND PENALTIES AFFECTING AN INDIVIDUAL	6
ARTICLE 4.	NOTIFICATION AND DEADLINES	7
ARTICLE 5.	GENERAL MATTERS	8
<b>CHAPTER II –</b>	<b>RULES FOR THE RESOLUTION OF DISPUTES AND LODGING OF APPEALS</b>	9
ARTICLE 6.	TYPOLOGY OF DISPUTES	9
ARTICLE 7.	DEADLINES AND FINANCIAL CONDITIONS	11
ARTICLE 8.	GENERAL CONSIDERATIONS	11
<b>CHAPTER III –</b>	<b>RULES OF CONDUCT FOR ATHLETES, COACHES, UMPIRES, OFFICIALS AND MANAGERS IN WBSC COMPETITIONS</b>	13
ARTICLE 9.	RULES	13

# CHAPTER I – GENERAL PRINCIPLES OF CONDUCT

## ARTICLE 1. AUTHORITY

1.1 The WBSC may take disciplinary measures against a Member Federation or an individual representing a Federation or the WBSC itself in the following instances:

- 1.1.1 A violation of the Statutes of the WBSC.
- 1.1.2 A violation or failure to observe the By-Laws, Rules and Regulations of the WBSC.
- 1.1.3 Proven conduct that damages the image, prestige and authority of the WBSC.
- 1.1.4 Reprehensible conduct during official competitions or activities of the WBSC or outside of them.
- 1.1.5 Failure to observe the agreements and decisions of the Governing Organs of the WBSC.
- 1.1.6 Repeated failure to meet the responsibilities and obligations of their position.
- 1.1.7 Commission of serious offences against sporting morals and ethics.
- 1.1.8 Failure to observe the Principles and Rules set out in the Code of Ethics of the WBSC.
- 1.1.9 Failure to observe the Anti-Doping Regulations of the WBSC.

## ARTICLE 2. LEGAL PROCEEDINGS AND PENALTIES AFFECTING A MEMBER FEDERATION, ASSOCIATION OR ORGANISATION OF THE WBSC

2.1 If the Executive Board of the WBSC becomes aware of an alleged violation for any of the reasons given in the previous section, it must gather the necessary additional information before taking a decision or, should it consider that the items available to it are sufficient to do so, make a ruling on the matter.

2.2 If the Executive Board considers that the seriousness of the case does not warrant the application of a disciplinary measure, said decision must be recorded in the official Minutes of the meeting in which the matter was discussed.

2.3 If the Executive Board considers that the information it has available is sufficient and that the facts of the case have been reliably proven, it shall take a decision about the disciplinary measure to be applied.

2.4 If the Executive Board decides that additional information and further analysis are required, it shall appoint a panel of up to three (3) independent persons who are either members or not members of the Executive Board and who are of a different nationality to the persons concerned, to examine the case and make a recommendation to the Executive Board. It shall designate one of the panel members to be coordinator.

2.4.1 At the same time as the case is submitted to the panel, the Executive shall officially notify the Member Federation involved in the alleged violation of the nature of the matter and

that the investigation process has begun. The Member Federation must submit the materials or proof requested to the panel, along with any other items it considers germane to the case.

2.4.2 The panel has sixty (60) calendar days after its appointment to complete the process and submit its recommendations to the Executive Board, which shall make a ruling on the matter, inform the Member Federation concerned of the results of the investigation and invite it to submit any new items that it considers appropriate. If so requested, it may give the Member Federation the opportunity to address the Executive Board in person, to express its arguments and considerations.

2.4.3 After reviewing the case, the Executive Board shall take a decision about the application of penalties as defined in these Rules. The penalty shall be applied with immediate effect.

2.4.4 An appeal against the penalty applied by the Executive Board may be lodged with the next Congress of the WBSC. The appeals procedure does not affect the performance of the penalty, which takes effect from the date of official notification to the Member Federation, by fax and registered letter sent on the same date.

2.4.5 If the Member Federation to which the penalty applies intends to appeal to the Congress, it must deposit the sum of ten thousand US dollars (10.000,00 USD) at the offices of the WBSC, which will be returned if the final decision goes in its favour.

2.4.6 The decision taken by the Congress on the appeal will not modify the results of any tournaments or championships with which the disciplinary proceedings may be connected.

2.5 After the proceedings are complete, within the legal framework of the WBSC, the Member Federation may appeal against the decision of the Congress to the Court of Arbitration for Sport, provided that the said appeal is lodged within twenty-one (21) calendar days from the date of official notification.

2.6 No other proceedings or appeal to ordinary courts may be made against the decision of the Court of Arbitration for Sport.

2.7 The following penalties may be applied to a Member Federation of the WBSC:

2.7.1 Withdrawal of Member status or all or some of the rights corresponding to that status.

2.7.2 Exclusion or expulsion from Championships, Tournaments or Events of the WBSC for a specific period.

2.7.3 A fine to compensate for damages and costs or a declaration that such Member is not in Good Standing.

2.7.4 A temporary penalty or a penalty suspending any of the above.

2.7.5 A public warning before all other member countries.

2.7.6 A penalty that combines any of the above.

2.8 In every situation provided for in these Rules, the Member Federation involved in the proceedings is excluded from taking part in voting on matters connected with the case.

### **ARTICLE 3. LEGAL PROCEEDINGS AND PENALTIES AFFECTING AN INDIVIDUAL**

3.1 The WBSC is entitled to apply disciplinary measures to an individual who is member of a Member National Federation or who comes under the jurisdiction of said National Federation, and to any individual invested with official representation in a game, tournament, competition or official activity of the WBSC. To apply a penalty to an individual, the WBSC shall proceed as indicated in the following Articles.

3.2 The Executive Board of the WBSC shall initiate disciplinary proceedings against any individual when it becomes aware of an alleged violation, either independently or through an official report or sworn statement by a competent person or authority of the WBSC, a Member Federation, Association or Organisation, or any sporting organisation, public or private-sector institution or individual that the Executive considers appropriate.

3.3 When it becomes aware of an alleged violation, the Executive Board shall take one of the following actions:

3.3.1 Decide that the seriousness of the alleged violation does not warrant the application of a disciplinary measure, in which case such a decision must be recorded in the official Minutes of the meeting.

3.3.2 Consider that the nature of the case and the information it has available are sufficient and, consequently, apply a disciplinary measure in compliance with the provisions contained in these Rules.

3.3.3 Consider that proof of the alleged violation is insufficient, thereby making it necessary to gather more information and investigate the case in depth.

3.4 If the Executive Board decides that additional information and further analysis are required, it shall appoint a panel of up to three (3) independent persons who are either members or not members of the Executive Board and who are of a different nationality to the persons concerned, to examine the case and make a recommendation to the Executive Board. It shall designate one of the panel members to be coordinator. The Executive Board shall make available to the panel all the information in its possession, on the basis of which the investigation shall begin.

3.4.1 At the same time as the case is submitted to the panel, the Executive shall officially notify the individual concerned of the nature of the matter, the alleged violation and that the investigation process has begun.

3.4.2 The individual in question has the right to submit his or her claims, documents and evidence to the panel of independent persons in the manner, on the date, and at the time and place decided.

3.4.3 The panel has sixty (60) calendar days after its appointment to complete the process and submit its recommendations to the Executive Board for a final decision.

3.4.4 The Executive Board, should it consider it necessary, shall ask the person being tried to produce any new elements or to appear in person at a meeting before taking the final decision.

3.4.5 The Executive Board takes its decision by a simple majority of its members. The disciplinary measure applied takes immediate effect as from the date of official notification to the penalised person.

3.4.6 In cases where the penalised person holds a position to which he/she was elected by the Congress and where the penalty applied involves his or her dismissal, removal, rights

limitation or temporary suspension, such measure must be ratified by the Congress that comes immediately after the date when the decision was taken. If the seriousness of the violation so warrants, the Executive Board may decide on an immediate temporary penalty pending a final decision by the Congress.

3.4.7 The person in question may appeal against the penalty applied by the Congress to the Court of Arbitration for Sport so long as said appeal is lodged within twenty-one (21) calendar days from the date of official notification by fax and registered letter.

3.4.8 Within twenty-one (21) calendar days at most from the date of official notification, individuals not included in paragraph 3.4.6 may ask the Executive Board itself for a new review of their cases so long as they can provide additional elements to justify such a review. The decision of the Executive Board shall be final.

3.4.9 Once all of the procedures provided for in these Rules have been exhausted, no other legal procedures before ordinary courts shall be permitted.

3.5 The following penalties are applicable to individuals recognised in the Rules:

3.5.1 Dismissal, removal or suspension from the position to which he/she was elected by the Congress of the WBSC.

3.5.2 Dismissal, removal or suspension from taking part in matches, competitions or official activities of the WBSC.

3.5.3 A fine commensurate with the seriousness of the violation committed and its financial implications, the sum to be determined by the Executive Board.

3.5.4 Temporary or provisional suspension from activities as an Executive of the WBSC and/or its recognised organisations.

3.5.5 Temporary limitation on holding managerial positions in the WBSC or its recognised organisations for a period determined by the Executive Board or the Congress, depending on the case.

3.5.6 A warning or any other measure considered morally or ethically appropriate by the Executive Board or the Congress.

3.5.7 A penalty that combines any of the measures described above.

3.6 In application of the procedures set out in these Rules applying to individuals, such individuals are excluded from taking part in voting on decisions connected with their case.

#### **ARTICLE 4. NOTIFICATION AND DEADLINES**

4.1 The deadlines set for the application of each of the procedures are as follows:

4.1.1 Official notification of a decision or penalty to the Member Federation or individual concerned shall be given no later than twenty-one (21) calendar days after the decision is taken, by fax and registered letter sent on the same date.

4.1.2 Any appeal against a decision or penalty must be lodged at WBSC headquarters by sixteen hundred hours (4 p.m. in Switzerland) on the first working day following the twenty-one (21) calendar days from the official notification.

## **ARTICLE 5. GENERAL MATTERS**

5.1 Disciplinary matters shall be discussed at ordinary meetings planned in the approved annual calendars of each body. Only in exceptional cases of extreme severity will extraordinary Executive Board meetings be convened for this purpose.

5.2 The expenses incurred by disciplinary proceedings shall be met by each of the acting parties in the proportion that falls to each party.

5.3 The policies set out in the Code of Ethics of the WBSC must be observed with regard to discussion, confidentiality and professional ethics.



# CHAPTER II – RULES FOR THE RESOLUTION OF DISPUTES AND LODGING OF APPEALS

*The WBSC is a worldwide organisation made up of Federations, Associations and Organisations which, absolutely voluntarily and in the full knowledge of their responsibilities, abide by, respect and observe its Statutes, By-Laws, Rules and Regulations.*

*Individuals including athletes, coaches, umpires, officials and managers, who, in any capacity or activity, act on behalf of or represent a Member Federation or the Organs of the WBSC, recognise, accept and promise to observe all the legal provisions of the WBSC and the specific regulations of its member organisations.*

*Whereas, despite the goodwill, positive attitude and sense of cooperation present in the work of the Federation, conflicts and disputes arise in the normal operation of the WBSC that need to be resolved through legally well-founded and approved actions, the WBSC Executive Board sets out the following rules.*

## **ARTICLE 6. TYPOLOGY OF DISPUTES**

6.1 The jurisdictional scope of these Rules covers conflicts, disputes, differences of opinion or any other type of controversy between Federations and Organs of the WBSC or between them and governmental or non-governmental sporting organisations with which they have working links.

6.2 The Rules acknowledge the right of all members and their organs, and persons who individually act on their behalf, both inside the WBSC and in its external relations, to defend themselves and be protected by their organisation, provided that there is no violation of the Disciplinary Rules, in which case the provisions set out for that purpose will be applied.

6.3 Member Federations and organisations of the WBSC must ensure that their Statutes, Rules and Regulations and any other legal documents do not conflict with any of the WBSC's, thereby achieving greater legislative harmony and coherence.

6.4 In cases of conflict stemming from incompatibility in terms of the approval or interpretation of legal documents between Member Federations, Associations or Organisations belonging to the WBSC, whatever the Congress or the Executive Board has legislated shall prevail, in accordance with the powers conferred on them by the Statutes.

6.5 By virtue of these Rules, in the event of a dispute, Member Federations, Associations or Organisations of the WBSC may lodge appeals where any of the following circumstances exist:

6.5.1 Disputes between two or more Member Federations.

6.5.2 Disputes between organisations and/or persons within the same Member Federation or when the parties to the dispute agree to lodge an appeal with the WBSC.

6.5.3 Contest of a decision of the Executive Board, which is not connected with an appeal procedure.

6.5.4 Disputes between a Member Federation, Association or Organisation of the WBSC and a Continental Confederation.

6.5.5 Disputes between a Federation, Association, Organisation or a Regional, Continental or International Sporting Confederation and any other organisation belonging to the Olympic Movement.

6.5.6 Disagreements in the interpretation and application of the Eligibility Rules and the Rules for Player Transfers.

6.5.7 Disputes between a Continental Association and the Executive Board.

6.6 The procedure for lodging appeals in the event of disputes provided for in these Rules is as follows:

6.6.1 Disputes between Member Federations

Where one or several Member Federations consider that their differences cannot be settled after all the available means have been exhausted, they may lodge an appeal with the Executive Board of the WBSC.

After taking cognisance of the case, the Executive Board has a period of six (6) months to take a decision. Any of the parties involved may lodge an appeal against the decision of the Executive Board with the next Congress. No appeal may be lodged against the decision of the Congress.

6.6.2 Disputes between a National Federation and a member organisation or individual member, as a result of their participation in an international activity

The member organisation or individual member may lodge an appeal with the Executive Board regarding a dispute with its National Federation so long as its petition is adequately supported with the available evidence, including the penalty or decision against which it is appealing. The Executive Board has a period of six (6) months to take a decision, against which no other type of appeal can be lodged.

6.6.3 Contest of a decision of the Executive Board

Member Federations, Associations and Organisations of the WBSC have the right to lodge an appeal against a decision of the Executive Board with the Board itself in the first instance. If they do not agree with the decision, they may appeal to the Congress, whose decision is final. The only decisions against which appeals may be lodged via this procedure concern the application or interpretation of internal legal documents, provided that they are not connected with disciplinary procedures.

6.6.3.1 Disputes between a Member Federation and a Continental Confederation

A Member Federation or Confederation may lodge an appeal with the Executive Board after having exhausted all possibilities of reaching a settlement in accordance with the Rules in force in each Confederation. The appeal must be submitted with the appropriate supporting documents. The Executive Board has a period of six (6) months from the time the appeal is lodged in which to carry out all the necessary investigations and take a decision. If any of the parties does not agree with the decision it may appeal to the Congress. The decision of the Congress is final and no appeal may be lodged against it.

6.6.3.2 Disputes between a Federation, Association, Organisation or Continental Confederation and a regional, continental, international or any other sporting organisation belonging to the Olympic Movement

Any member of the WBSC involved in a dispute with sporting organisations external to the WBSC may ask for the protection of the Executive Board.

6.6.3.3 The member lodging the appeal must submit a file to the Executive Board containing the appropriate documentation on the case, including attempts made by the national and/or regional and continental organisations of which it is a member to reach a settlement.

6.6.3.4 If necessary the Executive Board may designate one or more of its members to examine the case and submit the appropriate recommendations.

6.6.3.5 After the Executive Board has reached a position on the case, it will attempt to mediate an amicable settlement.

6.6.3.6 Should the dispute continue, the Executive Board may support the member's claim before the Court of Arbitration for Sport, should this be considered essential to the final resolution of the case.

6.6.4 Member Federations may lodge appeals with the Executive Board when they have a sound case for considering that the eligibility rules or the rules for player transfers have been violated. In such cases, they must submit evidence, including the opinion of the Continental Confederation on the case.

The Executive Board takes a decision within six (6) months from the date the appeal was lodged. The parties to the dispute shall be notified of the decision. Should they continue to disagree, an appeal against the decision may be lodged with the Congress. No appeal may be lodged against the decision of the Congress.

6.6.5 Disputes between a Continental Association and the Executive Board:

6.6.5.1 Attempts will be made to settle any differences of opinion between the Executive Board and a Confederation in the first instance by understanding and goodwill.

However, if no agreement is reached on the dispute, the party that considers itself to be affected may lodge an appeal with the Congress.

The Executive Board, as one of the parties to the conflict, shall instruct the Legal Commission to prepare all the documentation connected with the case. Such documentation must be circulated to the parties at least thirty (30) calendar days before the date set for the start of the Congress. No appeal may be made against the decision of the Congress.

## **ARTICLE 7. DEADLINES AND FINANCIAL CONDITIONS**

7.1 The following deadlines and financial conditions shall apply to appeals:

7.1.1 Any Member Federation, Association, Organisation, Confederation or individual that has lodged an appeal or is involved in a dispute shall receive official notification of the decision by fax and registered letter sent on the same day, from the body responsible for taking a decision on the case.

7.1.2 Once official notification has been received, the affected party may lodge an appeal with the appropriate body as defined in the Rules. Any appeal must be lodged with WBSC headquarters by sixteen hundred hours (4 p.m. in Switzerland) on the first working day following the twenty-one (21) calendar days after the official notification.

7.1.3 All expenses occasioned by the appeal proceedings shall be met by the parties to the dispute.

## **ARTICLE 8. GENERAL CONSIDERATIONS**

8.1 All appeals lodged with the Executive Board must be accompanied by a deposit of one thousand US dollars (1.000,00 USD), which will be returned to the appellant if the decision goes in its favour.

8.2 All appeals lodged with the Congress must be accompanied by a deposit of two thousand five hundred US dollars (2.500,00 USD), which will be returned to the appellant if the decision goes in its favour.

8.3 All appeals lodged with the Court of Arbitration for Sport shall comply with the procedural rules of the CAS.

8.4 If, on examination of a dispute, the Executive Board considers that the regulations of the WBSC have been violated in such a manner as to constitute a breach of discipline, it shall proceed in accordance with the provisions contained in the Disciplinary Rules.

8.5 WBSC Headquarters shall keep on record all the files of cases that have been brought before the Executive Board or the Congress, as well as decisions and documents of interest connected with cases for which appeals were lodged with the Court of Arbitration for Sport.

# CHAPTER III – RULES OF CONDUCT FOR ATHLETES, COACHES, UMPIRES, OFFICIALS AND MANAGERS IN WBSC COMPETITIONS

*Athletes, coaches, umpires, officials and managers who take part in WBSC competitions and activities shall be subject to the following Rules.*

## **ARTICLE 9. RULES**

9.1 Mutual respect must be observed, and no type of physical or verbal aggression or offensive gestures towards persons or institutions is permitted.

9.2 Disciplined and orderly conduct must be observed at all times by all participants in official competitions and activities of the WBSC.

9.3 Each participant in a competition must comply with the provisions of the Anti-Doping Regulations of the WBSC; accordingly, neither trafficking in nor use of any type of medication or substance prohibited by the WBSC Medical Code is permitted.

9.4 While the game is in progress, smoking, the use of any form of tobacco and the consumption of alcoholic drinks are not permitted in the areas set aside for the participating teams, including the playing field, or in public areas with specific regulations.

9.5 Participants are under the obligation to make proper use and take care of the accommodation, training, competition and other facilities, as well as the resources and means placed at their disposal. Any damage must be materially or financially repaired by the person responsible, aside from any disciplinary measure that may stem from it.

9.6 Wearing of a uniform or regulation official clothing is the obligation of each participant, who is accountable for its proper presence and cleanliness, in keeping with the public image of the WBSC.

9.7 Umpires acting on the field and technical officials assigned to each game shall be responsible for ensuring that no one not involved in the game is on the field, and that members of the press, photographers and cameramen remain in the areas set aside for them, as stipulated in the Tournament Rules.

9.8 Umpires' decisions must be obeyed and respected and cannot be considered valid reasons for disorder and lack of discipline. Complaints shall be made in accordance with the Tournament Rules and to the official authorities.

9.9 Participants shall cooperate as best they can with the organisers so that the competition or any other official activity takes place successfully for the good of Baseball.

9.10 The Local Organising Board is under the obligation to guarantee public discipline and order in such a way that it contributes to the successful holding of the competition. Participants shall refrain from any demonstrations liable to provoke or encourage inappropriate public conduct. According to the rules of the WBSC, any failure to comply with this point may lead to a penalty being applied to those involved.

9.11 Participants shall show the greatest respect towards the organisers, institutions and delegations representing different countries and to their official symbols.